


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DUANE A SINGLETON,)	
)	
Petitioner,)	No. C 07-5969 VRW (PR)
)	
vs.)	ORDER DENYING
)	APPLICATION TO PROCEED
SANTA RITA COUNTY JAIL,)	IN FORMA PAUPERIS
)	
Respondent.)	(Doc # 2)

Petitioner, a prisoner at the Alameda County Jail, Santa Rita Facility, has filed a pro se petition for a writ of habeas corpus under 28 USC § 2254. Petitioner has not paid the requisite filing fee of \$5.00; instead, he seeks leave to proceed in forma pauperis ("IFP") under 28 USC § 1915.

The court may permit the commencement of this action without prepayment of fees or security thereof if petitioner makes affidavit that he is unable to pay such fees or give security thereof. 28 USC § 1915(a)(1). Petitioner's application to proceed IFP shows that his trust account balance is \$50.42 and that the average balance in his prisoner's account each month for the most recent 6-month period was \$331.29. Petitioner's application to proceed IFP, i e, for waiver of the requisite filing fee of \$5.00, is DENIED. If petitioner does not pay the requisite filing fee of \$5.00 within 30 days from the date of this order, or show cause as to why he cannot, this action will be dismissed without prejudice.

SO ORDERED.



VAUGHN R WALKER
United States District Chief Judge